

WEDNESDAY, MARCH 28, 1990

EIGHTY-THIRD LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Representative Dwight Henry, Pastor, Faith Chapel, Cookeville, Tennessee.

Representative Henry (Putnam) led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

REPORTS FROM STANDING COMMITTEES

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 27, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Wednesday, March 28, 1990: House Bill(s) No(s). 1894, 1896, 2291, 2421, 2423, 2425, 2062, 1712, 2402 and 2033.

We have also set the following bills on the Regular Calendar for Thursday, March 29, 1990: House Bill(s) No(s). 2296, 2266, 1790, 1918, 2226, 1887, 2113, 2220, 2143, 2134, 2084, 246, 1802 and 1803; House Joint Resolution(s) No(s). 653; also, House Bill(s) No(s). 1968, 1656, 2129 and 2263.

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We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, April 2, 1990**: House Bill(s) No(s). 2613, 1753 and 2338; also, House Joint Resolution(s) No(s). 608.

PHILLIPS, Chairman.

COMMERCE COMMITTEE

March 27, 1990

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2437, 2441 (with amendment) and 2465.

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 2538 be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 2424.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 2437, 2441 (with amendment) and 2465 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 2538 to the Finance, Ways and Means Committee.

EDUCATION COMMITTEE

March 27, 1990

MR. SPEAKER: Your Education Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 904 (with amendment), 2140 and 2339 (with amendment); for adoption: House Joint Resolution(s) No(s). 654, 685 and 690.

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 2215 (with amendment), 2363 (with amendment) and 2536 be referred to the Finance, Ways and Means Committee.

DAVIDSON, Chairman.

Under the rules, House Bill(s) No(s). 904 (with amendment), 2140 and 2339 (with amendment); for adoption: House Joint Resolution(s) No(s). 654, 685 and 690 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72** the Speaker referred House Bill(s) No(s). 2215 (with amendment), 2363 (with amendment) and 2536 to the Finance, Ways and Means Committee.

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FINANCE, WAYS AND MEANS COMMITTEE
March 27, 1990

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 671, 1703, 1720 (with amendment), 1768, 2107, 2108 (with amendment), 2158 (with amendment), 2545 (with amendment) and 2560 (with amendment).

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 671, 1703, 1720 (with amendment), 1768, 2107, 2108 (with amendment), 2158 (with amendment), 2545 (with amendment) and 2560 (with amendment) was/were transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS COMMITTEE
March 27, 1990

MR. SPEAKER: Your Government Operations Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2076.

KING, Chairman.

Under the rules, House Bill(s) No(s). 2076 was/were transmitted to the Calendar and Rules Committee.

JUDICIARY COMMITTEE
March 27, 1990

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 713 (with amendment), 1756, 1915, 2146 (with amendment), 2232, 2398, 2495 and 2533 (with amendment); for adoption: House Resolution(s) No(s). 98 and 100.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1394 (with amendment) and 1969 (with amendment) be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 2438.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 713 (with amendment), 1756, 1915, 2146 (with amendment), 2232, 2398, 2495 and 2533 (with amendment); for adoption: House Resolution(s) No(s). 98 and 100 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1394 (with amendment) and 1969 (with amendment) to the Finance, Ways and Means Committee.

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STATE AND LOCAL GOVERNMENT COMMITTEE

March 27, 1990

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1109 (with amendment), 1701, 1864 (with amendment), 1906 (with amendment), 1948, 2001 (with amendment), 2059 (with amendment), 2093, 2209 (with amendment), 2308 (with amendment), 2340 (with amendment), 2342 (with amendment), 2350 (with amendment), 2371, 2375 (with amendment), 2401 (with amendment), 2447 (with amendment), 2567, 2572, 2603, 2608, 2635, 2639 and 2653; for adoption: House Joint Resolution(s) No(s). 665, 743 and 744.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 2361, 2383 (with amendment), 2463 and 2494 be referred to the Finance, Ways and Means Committee.

LOVE, Chairman.

Under the rules, House Bill(s) No(s). 1109 (with amendment), 1701, 1864 (with amendment), 1906 (with amendment), 1948, 2001 (with amendment), 2059 (with amendment), 2093, 2209 (with amendment), 2308 (with amendment), 2340 (with amendment), 2342 (with amendment), 2350 (with amendment), 2371, 2375 (with amendment), 2401 (with amendment), 2447 (with amendment), 2567, 2572, 2603, 2608, 2635, 2639 and 2653; also, House Joint Resolution(s) No(s). 665, 743 and 744; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2361, 2383 (with amendment), 2463 and 2494 to the Finance, Ways and Means Committee.

TRANSPORTATION COMMITTEE

March 27, 1990

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1641 (with amendment) and 2300 (with amendment); Senate Bill(s) No(s). 1084; for adoption: House Joint Resolution(s) No(s). 599 (with amendment), 686, 689 (with amendment) and 770; for concurrence: Senate Joint Resolution(s) No(s). 105, 132, 262 (with amendment), 270 (with amendment), 414 (with amendment), 431, 448 (with amendment), 457, 458 and 466.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 444 (with amendment) be referred to the Finance, Ways and Means Committee.

ROBB ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 1641 (with amendment) and 2300 (with amendment); Senate Bill(s) No(s). 1084; House Joint Resolution(s) No(s). 599 (with amendment), 686, 689 (with amendment)

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and 770; also, Senate Joint Resolution(s) No(s). 105, 132, 262 (with amendment), 270 (with amendment), 414 (with amendment), 431, 448 (with amendment), 457, 458 and 466; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 444 (with amendment) to the Finance, Ways and Means Committee.

REPORT OF COMMITTEE ON CALENDAR AND RULES

March 28, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Thursday, March 29, 1990: House Bill(s) No(s). 2037 and 2329; also, Senate Bill(s) No(s). 1813.

We have also set the following bills on the Regular Calendar for Monday, April 2, 1990: House Bill(s) No(s). 2344 and 1619; Senate Bill(s) No(s). 1011; also, House Bill(s) No(s). 1362 and 2170.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, April 2, 1990: House Bill(s) No(s). 2311 and 1726; House Joint Resolution(s) No(s). 617 and 618; House Resolution(s) No(s). 108, 121 and 123; House Joint Resolution(s) No(s). 329, 537, 698, 643, 748 and 588; also, Senate Joint Resolution(s) No(s). 455 and 471.

PHILLIPS, Chairman.

MESSAGE FROM THE SENATE

March 27, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1661; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 1661 -- Liens -- Revises certain provisions of the lien laws for improvements to real property; excludes certain residential property. Amends TCA, Title 66, Ch. 11.

MESSAGE FROM THE GOVERNOR

March 27, 1990

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1954, 2160, 2161, 2620 and 2621; also, House Joint Resolution(s) No(s). 680, 682, 683, 684 and 693; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

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ENGROSSED BILLS

March 27, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1850; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

March 28, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 393, 1797, 2050, 2337, 2408, 2565, 2584, 2589, 2611, 2632, 2634, 2636, 2638 and 2640; also, House Joint Resolution(s) No(s). 542, 544, 550, 666, 715 and 768; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

March 28, 1990

The Speaker announced that he had signed the following: House Bill(s) No(s). 393, 1797, 2050, 2337, 2408, 2565, 2584, 2589, 2611, 2632, 2634, 2636, 2638 and 2640; also, House Joint Resolution(s) No(s). 542, 544, 550, 666, 715 and 768.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 27, 1990

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 877, 1617, 1620, 1623, 1624, 1625, 1654, 1663, 1667, 1670, 1672, 1675, 1678, 1689, 1690, 1691, 1899, 2043, 2045, 2217, 2218, 2225, 2247, 2294, 2309, 2346, 2429, 2566, 2604 and 2624; also, House Joint Resolution(s) No(s). 541, 549, 668, 687, 688, 696 and 716; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

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REPORTS FROM STANDING COMMITTEES

CONSERVATION AND ENVIRONMENT COMMITTEE

March 28, 1990

MR. SPEAKER: Your Conservation and Environment Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2289 (with amendment), 2628 and 2631.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 2288; be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill(s) No(s). 1209 and 2211.

HILLIS, Chairman.

Under the rules, House Bill(s) No(s). 2289 (with amendment), 2628 and 2631 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2288 to the Finance, Ways and Means Committee.

GENERAL WELFARE COMMITTEE

March 28, 1990

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1640 (with amendment), 1751 (with amendment), 1758 (with amendment), 1889, 2078, 2119, 2216, 2302, 2549 and 2593 (with amendment); for adoption: House Resolution(s) No(s). 24.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1582 (with amendment), 1863 (with amendment), 2404 (with amendment) and 2542 be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 1119.

STARNES, Chairman.

Under the rules, House Bill(s) No(s). 1640 (with amendment), 1751 (with amendment), 1758 (with amendment), 1889, 2078, 2119, 2216, 2302, 2549 and 2593; also, House Resolution(s) No(s). 24 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1582 (with amendment), 1863 (with amendment), 2404 (with amendment) and 2542 to the Finance, Ways and Means Committee.

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COMMUNICATIONS

Rep. Brenda Turner asked that the following remarks be spread in the journal.

TO: Rep. Paul Starnes
FROM: Rep. Brenda Turner
DATE: March 26, 1990
RE: County Commission Pay Raise

Due to the possibility of the Committees closing this week and in order not to prevent the proper introduction of the County Commission pay raise, I request the bill be properly introduced and I will sign the authorization sheet upon completing my discussion with all county commissioners.

Thank you.

RULES SUSPENDED

Rep. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 784 out of order, which motion prevailed.

House Joint Resolution No. 0784 -- Memorials, Public Service -- Honors public service of eleven South Central Bell employees. by *DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Curlee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 779 out of order, which motion prevailed.

House Joint Resolution No. 0779 -- Memorials, Public Service -- Honors Davidson Academy's Head Start Program on 25th Anniversary. by *Curlee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Curlee, the resolution was adopted.

A motion to reconsider was tabled.

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RULES SUSPENDED

Rep. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 771 out of order, which motion prevailed.

***House Joint Resolution No. 0771 -- Highway Signs --** Designates certain road in Henry Horton State Park as "McAfee-Phillips Road". by *Duer, *Moore U A, *Hillis, *McDaniel, *Wolfe, *Givens, *Burchfield, *Wix, *Pinion, *Moody, *Robinson Robb, *Stallings, *Severance, *Crain, *Callicott.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hillis, the resolution was adopted.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2099 -- Juries and Jurors -- Increases grand jury foreman's compensation.

Further consideration of House Bill No. 2099, previously considered on February 26, 28 and March 14, 1990, at which time it was reset to the calendar for March 28, 1990.

Rep. Naifeh moved that **House Bill No. 2099** be re-referred to the Calendar and Rules Committee, which motion prevailed.

House Bill No. 2574 -- Education -- Revises provisions relative to education. Amends TCA, Title 49.

Further consideration of House Bill No. 2574, previously considered on March 21, 1990, at which time it was reset to the Calendar for March 28, 1990.

On motion, House Bill No. 2574 was made to conform with Senate Bill No. 2423.

On motion, **Senate Bill No. 2423**, on same subject, was substituted for House Bill No. 2574.

Rep. Bivens moved that **Senate Bill No. 2423** be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Davidson moved adoption of Education Committee Amendment No. 2 as follows:

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Amendment No. 1

Amend Senate Bill No. 2423 by redesignating Sections 36 and 37 of the printed bill to be Sections 37 and 38 and by adding a new Section 36, as follows:

SECTION 36. Tennessee Code Annotated, Section 49-5-5703(b), is amended by redesignating (b) to be (b)(1) and by adding a new subdivision (b)(2), as follows:

(b)(2) Any principal or administrator who has not satisfied the requirements of this section as of the effective date of this act shall have one (1) additional year, for a total of six (6) years in which to fulfill these requirements.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bivens moved that Senate Bill No. 2423, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Garrett -- 1.

A motion to reconsider was tabled.

House Bill No. 2138 -- Water Pollution -- Excludes certain restoration of swamps from definition of pollution under water quality laws. Amends TCA, Title 69, Ch. 3.

Further consideration of House Bill No. 2138, previously considered on March 21, 1990, at which time it was reset to the calendar for March 28, 1990.

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Rep. Holt moved that House Bill No. 2138 be reset to the Calendar for Thursday, April 5, 1990, which motion prevailed.

House Bill No. 2407 -- Highway Signs -- Makes owner of a non-complying sign liable for certain damages and costs. Amends TCA 54-21-105.

Further consideration of House Bill No. 2407, previously considered on March 21, 1990, at which time it was reset to the calendar for March 28, 1990.

Rep. Bivens moved that House Bill No. 2407 be reset to the Calendar for Wednesday, April 4, 1990, which motion prevailed.

***House Bill No. 2530 -- Tort Liability --** Imposes civil and criminal sanctions for theft of certain utility service.

On motion, House Bill No. 2530 was made to conform with Senate Bill No. 2494.

On motion, **Senate Bill No. 2494**, on same subject, was substituted for House Bill No. 2530.

Rep. Starnes moved that Senate Bill No. 2494 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Starnes moved that **Senate Bill No. 2494** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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House Bill No. 2481 -- Workers' Compensation -- Makes employer's first report of injury confidential with certain exceptions. Amends TCA 50-3-702.

On motion, House Bill No. 2481 was made to conform with Senate Bill No. 1634.

On motion, Senate Bill No. 1634, on same subject, was substituted for House Bill No. 2481.

Rep. Bittle moved that Senate Bill No. 1634 be passed on third and final consideration.

Rep. Herron moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1634 by inserting in the sentence added by Senate Amendment No. 2, between the words "does not apply to" and the words "a collective bargaining agent", the following language:

"any elected official, or to"

Rep. Henry (Roane) moved that Amendment No. 1 be tabled, which motion prevailed.

Rep. Purcell moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 1634 by adding to the end of the amendatory language of Section 1 the following new sentence:

"Provided further, however, the provisions of this subsection shall not apply to any person who resides within the Fifty-second State Representative District."

Rep. Scruggs moved that Amendment No. 2 be tabled, which motion prevailed.

Rep. Herron moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 1634 by adding to the end of the amendatory language of Section 1 the following new sentence:

"Provided further, however, the provisions of this subsection shall not apply to any person who resides within the Seventy-sixth State Representative District."

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Rep. Buck moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.	83
Noes.	8

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, U. (Shelby), Kent, Kernell, King, Kisber, McAfee, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 83.

Representatives voting no were: Clark, DeBerry, Herron, Jackson, Jones, R. (Shelby), Purcell, Stamps, Williams -- 8.

Rep. Burnett moved the previous question, which motion prevailed by the following vote:

Ayes.	77
Noes.	19

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Haun, Head, Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, U. (Shelby), King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 77.

Representatives voting no were: Austin, Clark, DeBerry, Givens, Hassell, Herron, Jackson, Jones, R. (Shelby), Kent, Kernell, Moore (Shelby), Nuber, Peroulas, Purcell, Scruggs, Severance, Stamps, Ussery, Williams -- 19.

Rep. Bittle moved that Senate Bill No. 1634 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	8

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Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: DeBerry, Herron, Jackson, Jones, R. (Shelby), Purcell, Shirley, Stamps, Williams -- 8.

A motion to reconsider was tabled.

*Senate Bill No. 1657 -- Alcoholic Beverages -- Decreases number of days a week restaurant must serve meals in order to qualify for liquor license. Amends TCA 57-4-102.

Further consideration of Senate Bill No. 1657, previously considered on March 22, 1990, at which time it was substituted for House Bill No. 1683 and reset to the calendar for March 28, 1990.

Rep. West moved passage of Senate Bill No. 1657 on third and final consideration, which motion failed by the following vote:

Ayes.	44
Noes.	43
Present and not voting.	2

Representatives voting aye were: Bell, Bivens, Buck, Burnett, Cain, Chiles, Clark, Coffey, Davidson, DeBerry, Dixon, Gaia, Garrett, Good, Head, Henry (Roane), Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, Naifeh, Napier, Nuber, Peroulas, Phillips, Pruitt, Purcell, Robinson (Hamilton), Scruggs, Severance, Starnes, Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Yelton, Mr. Speaker Murray -- 44.

Representatives voting no were: Anderson, Austin, Bragg, Burchfield, Byrd, Callicott, Cole, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), Givens, Gunnels, Halteman, Harrill, Hassell, Hillis, Hobbs, Holcomb, Holt, Huskey, Jackson, Kent, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Odom, Pinion, Rhinehart, Ridgeway, Robinson (Washington), Sipes, Stallings, Stamps, Turner, C. (Shelby), Winningham, Wolfe, Wood -- 43.

Representatives present and not voting were: Haun, Moody -- 2.

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Pursuant to Rule No. 39, Senate Bill No. 1657, having failed to receive a constitutional majority, was re-referred to the Calendar and Rules Committee.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No. 1657 and have this statement entered in the Journal.

Rep. Jim Henry

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No. 1657 and have this statement entered in the Journal.

Rep. Maria Peroulas

REGULAR CALENDAR, CONTINUED

House Bill No. 2154 -- Telecommunications -- Regulates and restricts use of computerized telephone dialing and announcing equipment. Amends TCA, Title 39, Ch. 17.

Further consideration of House Bill No. 2154, previously considered on March 26, 1990, at which time it was reset to the calendar for March 28, 1990.

On motion, House Bill No. 2154 was made to conform with Senate Bill No. 1658.

On motion, Senate Bill No. 1658, on same subject, was substituted for House Bill No. 2154.

Rep. Purcell moved that Senate Bill No. 1658 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 2.

Rep. Purcell moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1658 by deleting the language in Section 3 of the bill as amended and substituting instead the following:

(a) Prior to the utilization of ADAD equipment to call telephone numbers located in this state, any company or individual utilizing this equipment shall register the following with the Commission to receive a permit as provided in this Act:

(1) Name, address and telephone number of the company or individual utilizing the equipment;

(2) Name and address of a designated agent for service of process located in Tennessee for the ADAD operator;

(3) A surety bond executed by the ADAD operator from a surety company authorized to do business in this state for the sum of ten thousand dollars (\$10,000) to be maintained continuously in full force and effect. The Commission may waive the bond requirement for any operator demonstrating financial responsibility by the submission of a letter of credit from an accredited financial institution or by other means as the Commission by rule may prescribe.

(b) The Commission shall promulgate rules and regulations to govern the issuance of and the revocation or suspension of permits for ADAD operators utilizing equipment to call telephone numbers located in Tennessee.

(c) Failure to obtain a permit from the Commission prior to utilization of ADAD equipment to call numbers located in Tennessee, and failure to abide by Commission rules governing ADAD operations shall be a violation of this act.

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 1658 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

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On motion, Amendment No. 2 was adopted.

Rep. Cain moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 1658 by adding the following new item to be appropriately designated in Section 6:

() Are made by a public school, grades K-12 as part of a program to regulate and control absenteeism of students;

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Purcell moved that Senate Bill No. 1658, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

Senate Bill No. 2357 -- Alcoholic Beverages -- Gives board discretion to issue permit prior to one year after revocation. Amends TCA 57-5-109.

Further consideration of Senate Bill No. 2357, previously considered on March 22, 1990, at which time it was substituted for House Bill No. 2207 and reset to the calendar for March 28, 1990.

Rep. Clark moved that Senate Bill No. 2357 be passed on third and final consideration.

Rep. Henry (Putnam) moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2357 by deleting the amendatory language of Section 1 of the printed bill and by substituting instead the following:

Provided, however, the board in its discretion may determine that issuance of a license or permit before the expiration of one (1) year from the date of revocation becomes final is appropriate, if the individual applying for such issuance is not the original holder of the license or any family member who could inherit from such individual under the statute of intestate succession.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Clark moved that Senate Bill No. 2357, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	58
Noes.	36
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bittle, Bivens, Buck, Burchfield, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Garrett, Haun, Head, Henry (Putnam), Hillie, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Moody, Naifeh, Napier, Nuber, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Starnes, Turner, L. (Shelby), Ussery, Webb, Whitson, Williams, Wix, Yelton, Mr. Speaker Murray -- 58.

Representatives voting no were: Bell, Bragg, Callicott, Cole, Crain, Cross, Curlee, Davis (Gibson), Duer, Givens, Halteman, Harrill, Hassell, Henry (Roane), Herron, Hobbs, Holcomb, Holt, Jackson, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Niceley, Odom, Peroulas, Pinion, Shirley, Sipes, Stallings, Stamps, West, Wheeler, Winningham, Wolfe, Wood -- 36.

Representatives present and not voting were: Good -- 1.

A motion to reconsider was tabled.

House Bill No. 1941 -- County Officers -- Establishes Tennessee Peace Officers' Hall of Fame Board. Amends TCA, Title 4.

Rep. Cain moved that House Bill No. 1941 be reset one week to the Calendar for Wednesday, April 4, 1990, which motion prevailed.

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House Bill No. 1662 -- Administrative Procedure -- Extends certain agency rules scheduled to expire pursuant to the provisions of Uniform Administrative Procedures Act. Amends TCA, Title 4, Ch. 5.

Further consideration of House Bill No. 1662, previously considered on March 26, 1990, at which time it was reset to the calendar for March 28, 1990.

On motion, House Bill No. 1662 was made to conform with Senate Bill No. 1609.

On motion, Senate Bill No. 1609, on same subject, was substituted for House Bill No. 1662.

Rep. King moved that Senate Bill No. 1609 be passed on third and final consideration.

Rep. Moore (Shelby) moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1609 by adding the following new subsection to the amendatory language of Section 1:

(c) The provisions of subsection (a) shall not apply to the following permanent rule which was duly filed in the office of secretary of state between January 1, 1989 and December 31, 1989, and which is statutorily scheduled for expiration by the provisions of Tennessee Code Annotated, Section 4-5-225, on June 30, 1990:

Department of Human Services - Tennessee
Business Enterprise Rules - Rule 1240-6-3-.05
PROMOTIONS.

Rep. Rhinehart moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes.	48
Noes.	36
Present and not voting.	3

Representatives voting aye were: Armstrong, Austin, Bell, Bivens, Bragg, Burnett, Byrd, Callicott, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Gaia, Givens, Gunnels, Halteman, Head, Herron, Hillis, Hobbs, Holt, Jackson, Jones, R. (Shelby), Kisber, Love, Moore (Lawrence), Naifeh, Napier, Odom, Phillips, Pinion, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), West, Whitson, Winningham, Wix, Mr. Speaker Murray -- 48.

Representatives voting no were: Anderson, Bittle, Burchfield,

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Cain, Chiles, Coffey, Cole, Davis (Cocke), Davis (Knox), Dixon, Duer, Good, Harrill, Hassell, Henry (Putnam), Holcomb, Hubbard, Huskey, Kent, King, McAfee, McDaniel, Moody, Moore (Shelby), Niceley, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Webb, Williams, Wolfe, Wood -- 36.

Representatives present and not voting were: Buck, Clark, Purcell -- 3.

Rep. King moved that **Senate Bill No. 1609** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

***House Joint Resolution No. 0597 -- Highway Signs --** Designates certain bridge on I-181 in Unicoi County as the "Ned Lyle Memorial Bridge".

Rep. Whitson moved that House Joint Resolution No. 597 be adopted.

Rep. Whitson moved to amend as follows:

Amendment No. 1

Amend House Joint Resolution No. 597 by adding the following at the end of the first resolving clause:

Provided however, this resolution shall become operative only if the federal highway administrator advises the commissioner of transportation in writing that the provisions of this resolution shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

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On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Whitson moved that House Joint Resolution No. 597, as amended, be adopted, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

*House Joint Resolution No. 0596 -- Highway Signs -- Designates certain bridge on I-181 in Unicoi County as the "W.A. Wilson, Sr. Memorial Bridge".

Rep. Whitson moved that House Joint Resolution No. 596 be adopted.

Rep. Whitson moved to amend as follows:

Amendment No. 1

Amend House Joint Resolution No. 596 by adding the following at the end of the first resolving clause:

Provided however, this resolution shall become operative only if the federal highway administrator advises the commissioner of transportation in writing that the provisions of this resolution shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Whitson moved that House Joint Resolution No. 596, as amended, be adopted, which motion prevailed by the following vote:

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Ayes. 95
Noes. 0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to yes on House Joint Resolution No. 596 and have this statement entered in the Journal.

Rep. Floyd Crain

REGULAR CALENDAR, CONTINUED

*House Bill No. 1809 -- Fees -- Revises fees for blood alcohol tests performed by TBI. Amends TCA, Title 38, Ch. 6.

Further consideration of House Bill No. 1809, previously considered on March 26, 1990, at which time it was reset to the calendar for March 28, 1990.

On motion, House Bill No. 1809 was made to conform with Senate Bill No. 2110.

On motion, Senate Bill No. 2110, on same subject, was substituted for House Bill No. 1809.

Rep. Davis (Gibson) moved that Senate Bill No. 2110 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. 80
Noes. 13

Representatives voting aye were: Anderson, Austin, Bell,

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Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Henry (Putnam), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wolfe, Yelton, Mr. Speaker Murray -- 80.

Representatives voting no were: Bittle, Callicott, Copeland, Davis (Knox), Duer, Harrill, Haun, Henry (Roane), Peroulas, Severance, Stamps, Whitson, Wood -- 13.

A motion to reconsider was tabled.

House Bill No. 1894 -- Election Laws -- Authorizes national committee of political party to contribute to state political party executive committee. Amends TCA 2-19-132, 133.

On motion, House Bill No. 1894 was made to conform with Senate Bill No. 1848.

On motion, Senate Bill No. 1848, on same subject, was substituted for House Bill No. 1894.

Rep. Kisber moved that Senate Bill No. 1848 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	82
Noes.	8
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Garrett, Givens, Good, Gunnels, Hassell, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 82.

Representatives voting no were: Burchfield, Callicott, Chiles, Copeland, Davis (Knox), Halteman, Haun, Nuber -- 8.

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Representatives present and not voting were: Duer, Henry (Putnam) -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to yes on Senate Bill No. 1848 and have this statement entered in the Journal.

Rep. Randall Stamps

REGULAR CALENDAR, CONTINUED

House Bill No. 2291 -- Loan Companies -- Redefines "endorsement company" in Industrial Loan and Thrift Companies Act. Amends TCA 45-5-102.

On motion, House Bill No. 2291 was made to conform with Senate Bill No. 2226.

On motion, Senate Bill No. 2226, on same subject, was substituted for House Bill No. 2291.

Rep. Kisber moved that Senate Bill No. 2226 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Cole, Givens -- 2.

A motion to reconsider was tabled.

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House Bill No. 2421 -- Corporations -- Revises procedures for filing annual corporate reports. Same as SB 2521. Amends TCA, Title 48, Chs. 26, 66; Title 67, Ch. 4, Pt. 9.

On motion, House Bill No. 2421 was made to conform with Senate Bill No. 2160.

On motion, **Senate Bill No. 2160**, on same subject, was substituted for House Bill No. 2421.

Rep. Kisber moved that **Senate Bill No. 2160** be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Kisber moved that **Senate Bill No. 2160** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

A motion to reconsider was tabled.

***House Bill No. 2423** -- Assessors -- Provides for correction of clerical errors on assessment records. Amends TCA, Title 67.

On motion, House Bill No. 2423 was made to conform with Senate Bill No. 2512.

On motion, **Senate Bill No. 2512**, on same subject, was substituted for House Bill No. 2423.

Rep. Kisber moved that **Senate Bill No. 2512** be passed on third and final consideration.

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Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2512 by deleting the first sentence of amendatory subsection (d) in Section 1 and substituting instead the following:

Correction of assessments pursuant to this section must be requested by the taxpayer, or initiated by the assessor, prior to September 1 of the year following the tax year for which the correction is to be made. Additional taxes due as the result of a corrected assessment shall not be deemed delinquent until sixty (60) days after the date notice of the corrected assessment is sent to the taxpayer.

AND FURTHER AMEND by adding the following new sections:

SECTION _____. Tennessee Code Annotated, Section 67-1-1005 is amended by deleting subsection (a) and substituting instead the following:

(a) A back assessment or reassessment must be initiated prior to September 1 of the year following the tax year for which the original assessment was made, unless the omission or underassessment resulted from failure of the taxpayer to file the reporting schedule required by law, from actual fraud or fraudulent misrepresentation of the property owner or his agent, or from collusion between the property owner or his agent and the assessor. In the latter cases, a back assessment or reassessment must be initiated prior to three (3) years from September 1 of the tax year for which the original assessment was made. Additional taxes due as the result of a back assessment or reassessment shall not be deemed delinquent until sixty (60) days after the date notice of the back assessment or reassessment is sent to the taxpayer, unless the back assessment or reassessment resulted from failure of the taxpayer to file the reporting schedule required by law, from actual fraud or fraudulent misrepresentation of the property owner or his agent, or from collusion between the property owner or his agent and the assessor. In the latter cases such taxes shall become delinquent as of the date of delinquency of the original assessment.

SECTION _____. Tennessee Code Annotated, Section 67-5-903, is amended by adding the following new subsection:

(e) The taxpayer may amend a personal property

schedule previously filed with the assessor at any time until September 1 following the tax year. If the assessor agrees with the amended schedule, the assessor shall thereupon revise the assessment and certify the revised assessment to the trustee. If the assessor believes the assessment should be otherwise than claimed in the amended schedule, he shall adjust the assessment and give written notice to the taxpayer of the adjusted assessment. The taxpayer may appeal the assessor's adjustment of or refusal to accept an amended assessment schedule, to the local and state boards of equalization in the manner otherwise provided by law. Additional taxes due as the result of an amended schedule shall not be deemed delinquent until sixty (60) days after the date notice of the amended assessment was sent to the taxpayer.

SECTION _____. Tennessee Code Annotated, Section 67-4-713, is amended by substituting language for subdivision (3) of subsection (a) thereof as follows:

(3) Except as provided in (a)(4), personal property taxes properly paid pursuant to Chapter 5, Part 5 of this title.

(A) Personal property taxes assessed pursuant to audit and subsequently paid may be taken as a credit either on the business tax return filed for the year in which the additional personal property tax was paid or on the return covering the immediately previous year. If the credit is taken in the previous year, an amended business tax return must be filed for that year.

(B) Personal property taxes paid subsequent to the due date for business taxes in any year pursuant to Section 67-4-714 but prior to the delinquency date for business taxes in any year pursuant to Section 67-4-719 may be taken as a credit on the business tax return as if the personal property taxes had been paid during the period covered by the return or the credit may be taken in the year in which the payment is made.

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2512 by deleting Sections 2 and 3 of the bill in their entirety and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 67-5-903, is amended by adding the following sentence at the end of subsection (e):

Amendment of a personal property schedule shall not be permitted once suit has been filed to collect delinquent taxes related to the original assessment.

SECTION 3. The sections of this bill which amend Title 67, Chapter 1, Part 10 and Title 67, Chapter 5, Part 9, shall take effect immediately upon its passage, the public welfare requiring it. The sections of this bill which amend Title 67, Chapter 5, Part 5, shall take effect on January 1, 1991.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Kisber moved that Senate Bill No. 2512, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

A motion to reconsider was tabled.

*House Bill No. 2425 -- Assessors -- Provides for notice of property tax assessments to taxpayers. Amends TCA 67-5-508, 67-5-1412, 67-5-1501.

On motion, House Bill No. 2425 was made to conform with Senate Bill No. 2518.

On motion, Senate Bill No. 2518, on same subject, was substituted for House Bill No. 2425.

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Rep. Kisber moved that Senate Bill No. 2518 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2518 by deleting the directory language of Section 2 and substituting instead the following:

Tennessee Code Annotated, Section 67-5-1412, is amended by deleting from subsection (c) the words "on or before August 1 of the year in which the appeal is prosecuted" and by adding the following new subsection:

AND FURTHER AMEND by redesignating the amendatory language of Section 2 as subsection (e) instead of subsection (c), and by adding the words "pursuant to Section 67-5-508" after the word "change" in the amendatory language of Section 2.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Kisber moved that Senate Bill No. 2518, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

*House Bill No. 1712 -- Workers' Compensation -- Extends time employee has to notify department of labor of court approved workers' compensation lump sum payment. Amends TCA 50-6-229.

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On motion, House Bill No. 1712 was made to conform with Senate Bill No. 1999.

On motion, **Senate Bill No. 1999**, on same subject, was substituted for House Bill No. 1712.

Rep. Buck moved that Senate Bill No. 1999 be passed on third and final consideration.

On motion, Rep. C. Turner (Shelby) withdrew Labor and Consumer Affairs Committee Amendment No. 1.

Rep. Buck moved that **Senate Bill No. 1999** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones R. (Shelby), Jones U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 2402 -- Historical Sites -- Revises certain provisions governing the operation of the Hermitage. Amends TCA, Title 4, Chs. 11, 13, 15, 29.

Rep. West moved that House Bill No. 2402 be reset to the Calendar for Wednesday, April 4, 1990, which motion prevailed.

House Bill No. 2033 -- Taxes, Privilege -- Increases privilege tax on marriage. Amends TCA, Title 67, Ch. 4.

On motion, House Bill No. 2033 was made to conform with Senate Bill No. 2087.

On motion, **Senate Bill No. 2087**, on same subject, was substituted for House Bill No. 2033.

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Rep. Clark moved that Senate Bill No. 2087 be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Stamps moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2087 by deleting Section 1 in its entirety and by substituting instead the following new section:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 4, is amended by adding a new section, as follows:

Section _____. Each person who exercises the privilege of filing a bill or petition for divorce shall pay a tax of twenty-five dollars (\$25.00). The clerk of each court in which a bill or petition for divorce is filed shall collect and forward such tax to the commissioner of revenue.

Rep. Ridgeway moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes.	51
Noes.	38

Representatives voting aye were: Armstrong, Austin, Bell, Bivens, Bragg, Buck, Burnett, Cain, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DePriest, Dixon, Duer, Givens, Hassell, Head, Herron, Hillis, Hobbs, Holt, Jackson, Jones, U. (Shelby), King, Kisber, Love, McAfee, Moody, Moore (Lawrence), Naifeh, Napier, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Turner, L. (Shelby), Wheeler, Williams, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 51.

Representatives voting no were: Anderson, Bittle, Burchfield, Byrd, Chiles, Cole, Davis (Cocke), Davis (Knox), DeBerry, Gaia, Good, Gunnels, Halteman, Harrill, Haun, Henry (Putnam), Henry (Roane), Holcomb, Hubbard, Huskey, Jones, R. (Shelby), Kent, McDaniel, Niceley, Nuber, Odom, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Ussery, Webb, West, Whitson, Wood -- 38.

Thereupon, Rep. Clark moved that Senate Bill No. 2087 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.	90
Noes.	7

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Cain, Callicott, Chiles, Coffey, Cole, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: Byrd, Copeland, Curlee, Henry (Roane), King, Shirley, Whitson -- 7.

A motion to reconsider was tabled.

House Bill No. 2645 -- Hawkins County -- Lengthens term of county attorney. Amends Chapter 123, Private Acts of 1983.

Rep. Givens moved that House Bill No. 2645 be reset to the next available space to the Calendar for Monday, April 2, 1990, which motion prevailed.

House Bill No. 1896 -- Liens -- Revises certain provisions of the lien laws for improvements to real property; excludes certain residential property. Amends TCA, Title 66, Ch. 11.

On motion, House Bill No. 1896 was made to conform with Senate Bill No. 1661.

On motion, **Senate Bill No. 1661**, on same subject, was substituted for House Bill No. 1896.

Rep. Kisber moved that Senate Bill No. 1661 be passed on third and final consideration.

Rep. Shirley moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kisber moved that **Senate Bill No. 1661** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Present and not voting. 1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nicoley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives present and not voting were: King -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to yes on Senate Bill No. 1661 and have this statement entered in the Journal.

Rep. Dave Coffey

REGULAR CALENDAR, CONTINUED

House Bill No. 2062 -- Water Pollution -- Decreases civil penalty for violations of water quality law. Amends TCA, Titles 68, 69.

On motion, House Bill No. 2062 was made to conform with Senate Bill No. 1898.

On motion, Senate Bill No. 1898, on same subject, was substituted for House Bill No. 2062.

Rep. Kisber moved that Senate Bill No. 1898 be passed on third and final consideration.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 1.

Thereupon, Rep. Kisber moved that Senate Bill No. 1898 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No. 1898 and have this statement entered in the Journal.

Rep. Beth Halteman

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No. 1898 and have this statement entered in the Journal.

Rep. Gary Odom

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No. 1898 and have this statement entered in the Journal.

Rep. Randall Stamps

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No.

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1898 and have this statement entered in the Journal.

Rep. Ben West, Jr.

CONSENT CALENDAR

House Resolution No. 0132 -- Memorials, Personal Occasion -- Honors 90th birthday of Mary Sue Perrell.

House Resolution No. 0133 -- Memorials, Sports -- Honors Coach Tim Tackett and LaVergne girls' basketball team on dramatic turnaround.

House Joint Resolution No. 0769 -- Memorials, Public Service -- Honors and commends Martin Luther King III.

House Joint Resolution No. 0772 -- Memorials, Sports -- Honors Coach Steve Ramsey and Clarkrange High School boys' basketball team, TSSAA Class A runner-up.

House Joint Resolution No. 0773 -- Memorials, Sports -- Honors Coach Homer Lee Linder and York Agricultural Institute girls' basketball team.

House Joint Resolution No. 0774 -- Memorials, Sports -- Honors Coach Lamar Rogers and Clarkrange High School girls' basketball team, TSSAA Class A state champions.

House Joint Resolution No. 0775 -- Memorials, Sports -- Honors Coach Larry Looper and Livingston Academy girls' basketball team, TSSAA Class AA champions.

House Joint Resolution No. 0776 -- Memorials, Recognition -- Honors Maxine A. Smith on civil rights commitment.

House Joint Resolution No. 0777 -- Memorials, Recognition -- Commemorates 200th Anniversary of the founding of the Territory of the United States South of the River Ohio.

House Bill No. 2641 -- Somerville -- Removes voting eligibility based on property ownership; authorizes city governing body to set salary. Amends Chapter 409, Acts of 1901, as amended.

House Bill No. 2642 -- Tipton County -- Extends term of constables. Amends Chapter 52, Private Acts of 1973.

House Bill No. 2643 -- Tipton County -- Authorizes health trust fund to cover programs by public health department. Amends Chapter 8, Private Acts of 1981, as amended.

House Bill No. 2650 -- Murfreesboro -- Revises charter. Amends Chapter 429, Private Acts of 1931, as amended.

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Senate Joint Resolution No. 0550 -- Memorials, Condolence -- Honors memory of Wray Williams.

Senate Joint Resolution No. 0553 -- Memorials, Professional Achievement -- Honors and commends Reverend William A. Suggs.

Senate Joint Resolution No. 0567 -- Memorials, Personal Occasion -- Congratulates Mrs. Lela Hardin on celebration of 80th birthday.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Coker), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gala, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

MESSAGE CALENDAR

Senate Bill No. 1854 -- Telecommunications -- Enacts "Unsolicited Telefacsimile Advertising Act".

Rep. Bragg moved that Senate Bill No. 1854 be reset to the Message Calendar for Thursday, March 29, 1990, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2345 -- Health -- Enacts durable power of

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attorney for health care. Amends TCA, Title 34, Ch. 6.

Senate Amendment No. 3

Amend House Bill No. 2345 by deleting the second sentence of subsection (e) of Section 7 of the bill as printed.

Senate Amendment No. 4

AMEND House Bill No. 2345 by adding the following language as a new, appropriately designated section:

SECTION _____. Any health care provider shall arrange for the prompt and orderly transfer of a patient to the care of others when as a matter of conscience the health care provider cannot implement the health care decisions made by the attorney in fact for the principal as provided in a durable power of attorney for health care.

AND FURTHER AMEND by adding the following language as a new subsection (d) to Section 5:

(d) Subject to any limitations in the durable power of attorney for health care, the attorney in fact designated in such durable power of attorney may make health care decisions as provided in this subsection for the principal who has a condition from which the attending physician has determined that there can be no recovery and death is imminent, where the application of life-prolonging procedures would serve only to artificially prolong the dying process. The decision to withhold or withdraw such procedures may be made by the attorney in fact permitting the principal to die naturally with only the administration of medications or the performance of any medical procedure deemed necessary to provide the principal with comfortable care or to alleviate pain. Provided, however, that in no case shall this subsection be interpreted to allow the withholding of simple nourishment or fluids so as to condone death by starvation or dehydration.

SECTION _____. If a person other than the principal prepares a durable power of attorney for health care for the principal, the document shall contain the following warning statement; provided that, failure to include the warning statement in the document shall not affect the validity of the document:

WARNING TO PERSON EXECUTING THIS DOCUMENT

This is an important legal document. Before executing this document you should know these important facts.

This document gives the person you designate as your agent (the attorney in fact) the power to make health care decisions for you. Your agent must act consistently with your desires as stated in this document.

Except as you otherwise specify in this document, this document gives your agent the power to consent to your doctor not giving treatment or stopping treatment necessary to keep you alive.

Notwithstanding this document, you have the right to make medical and other health care decisions for yourself so long as you can give informed consent with respect to the particular decision. In addition, no treatment may be given to you over your objection, and health care necessary to keep you alive may not be stopped or withheld if you object at the time.

This document gives your agent authority to consent, to refuse to consent, or to withdraw consent to any care, treatment, service, or procedure to maintain, diagnose or treat a physical or mental condition. This power is subject to any limitations that you include in this document. You may state in this document any type of treatment that you do not desire. In addition, a court can take away the power of your agent to make health care decisions for you if your agent (1) authorizes anything that is illegal or (2) acts contrary to your desires as stated in this document.

You have the right to revoke the authority of your agent by notifying your agent or your treating physician, hospital or other health care provider orally or in writing of the revocation.

Your agent has the right to examine your medical records and to consent to their disclosure unless you limit this right in this document.

Unless you otherwise specify in this document, this document gives your agent the power after you die to (1) authorize an autopsy, (2) donate your body or parts thereof for transplant or therapeutic or educational or scientific purposes, and (3) direct the disposition of your remains.

If there is anything in this document that

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you do not understand, you should ask a lawyer to explain it to you.

Rep. Holcomb moved that the House concur in Senate Amendment(s) No(s). 3 and 4 to House Bill No. 2345, which prevailed by the following vote:

Ayes.	93
Noes.	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Buck, Burchfield, Burnett, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Byrd, Crain, Turner, C. (Shelby) -- 3.

A motion to reconsider was tabled.

***Senate Bill No. 2437 -- Vital Statistics -- Removes fee for obtaining copies of death certificate of veteran. Amends TCA 68-3-207.**

Rep. Naifeh moved that Senate Bill No. 2437 be reset to the Message Calendar for Thursday, March 29, 1990, which motion prevailed.

***House Bill No. 2513 -- Culture -- Reenacts Tennessee Film, Entertainment and Music Commission Act of 1987.**

Senate Amendment No. 1

Amend House Bill No. 2513 by deleting the language "June 30, 1996" and by substituting instead the language "June 30, 1991".

Rep. King moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 2513, which motion prevailed by the following vote:

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Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Gunnels, Haltman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nicoley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, G. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives present and not voting were: Good -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, March 29, 1990:

House Bill No. 2509: Rep. Naifeh.

House Bill No. 2516: Rep. Herron.

RESOLUTION REFERRED

Rep. Armstrong moved that House Joint Resolution No. 727 be recalled from the General Welfare Committee and referred to the Education Committee, which motion prevailed.

RULES SUSPENDED

Rep. Davidson moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Joint Resolutions(s) No(s). 726, 727, 733, 736 and 741 can be heard in a special Education Committee meeting following session on Thursday, March 29, which motion prevailed.

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RESOLUTIONS REFERRED

Rep. U. Jones moved that **House Joint Resolution(s) No(s). 737 and 738** be recalled from the State and Local Government Committee and referred to the General Welfare Committee, which motion prevailed.

RULES SUSPENDED

Rep. DeBerry moved that the rules be suspended for the immediate introduction of **House Joint Resolution(s) No(s). 785, 786, 787 and 788**; also, **House Resolution No. 135** and referral to the Calendar and Rules Committee, which motion prevailed.

***House Joint Resolution No. 0785** -- General Assembly, Studies -- Creates study committee on proposed state agency to provide services to hearing impaired. by *DeBerry.

***House Joint Resolution No. 0786** -- General Assembly, Statement of Intent or Position -- Expresses need for greater cultural awareness by public officials and employees delivering services to black children. by *DeBerry.

***House Joint Resolution No. 0787** -- Memorials, Government Officials -- Directs study of disproportionate commitment of blacks to mental health institutions. by *DeBerry.

***House Joint Resolution No. 0788** -- General Assembly, Studies -- Directs examination of disclosure of juvenile justice records and negative impact on employment opportunities of reformed youth. by *DeBerry.

***House Resolution No. 0135** -- General Assembly, Studies -- Creates study committee to study proposed state agency for deaf and hearing impaired. by *DeBerry.

RULES SUSPENDED

Rep. Winningham moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that **Senate Joint Resolution No. 526**, to be introduced today, can be heard in the special Education Committee meeting on Thursday, March 29, 1990, which motion prevailed.

RULES SUSPENDED

Rep. Winningham moved that the rules be suspended for the introduction and passage on first consideration of **House Bill No. 2663**, which motion prevailed.

House Bill No. 2663 -- Oneida -- Repeals authorization of board of mayor and aldermen to establish compensation of such officials. Repeals Chapter 146, Private Acts of 1990. by *Winningham.

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RULES SUSPENDED

Rep. Crain moved that the rules be suspended for the immediate introduction of House Joint Resolution No. 795 out of order and referral to the Calendar and Rules Committee, which motion prevailed.

*House Joint Resolution No. 0795 -- General Assembly, Statement of Intent or Position -- Endorses Adopt-A-Stream Project. by *Crain, *Stallings, *Holt, *Kisber, *Buck.

RULES SUSPENDED

Rep. Armstrong moved that the rules be suspended to recall Senate Joint Resolution No. 459 from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

*Senate Joint Resolution No. 0459 -- General Assembly, Studies -- Requests Tennessee Higher Education Commission to conduct study on graduate student stipends.

On motion of Rep. Armstrong, the resolution was concurred in.

A motion to reconsider was tabled.

COMMUNICATIONS

March 28, 1990

Mr. Speaker, I move that House Bill No. 2651 be recalled from the committee on State and Local Government and re-referred to the Commerce Committee.

The two Committee Chairman are in agreement.

I further move that the Rules be suspended so that the Bill may be considered on the Committee Calendar next Tuesday.

/s/Clyde B. Webb
REPRESENTATIVE CLYDE B. WEBB, SPONSOR

/s/Harold Love
CHAIRMAN, STATE AND LOCAL GOVERNMENT COMMITTEE

/s/Shelby A. Rhinehart
CHAIRMAN, COMMERCE COMMITTEE

RULES SUSPENDED

Rep. Good moved that the rules be suspended for the immediate introduction House Joint Resolution No. 796 out of order, which motion prevailed.

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House Joint Resolution No. 0796 -- Memorials, Sports -- Honors Coach George Pitts and Science Hill High School boys' basketball team, Class AAA state champions. by *Good, *Robinson Ruth, *Hubbard, *Yelton, *Holcomb, *Whitson, *Huskey, *Severance, *Haun, *Burchfield, *Bittle, *Davis J K, *Cross, *Davis R E, Chiles, Scruggs, Armstrong.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Good, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Pruitt, House Bill No. 1116 was recalled from the General Welfare Committee.

On motion of Rep. Pruitt, House Bill No. 1116 was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 654: Rep(s). Davidson added as prime sponsor(s).

House Bill No. 246: Rep(s). West added as prime sponsor(s).

House Bill No. 713: Rep(s). Clark added as prime sponsor(s).

House Bill No. 796: Rep(s). Starnes added as prime sponsor(s).

House Bill No. 1235: Rep(s). C Turner added as prime sponsor(s).

House Bill No. 1796: Rep(s). Burnett added as prime sponsor(s).

House Bill No. 2033: Rep(s). Kent added as prime sponsor(s).

House Bill No. 2172: Rep(s). King and Wheeler added as prime sponsor(s).

House Bill No. 2219: Rep(s). Burchfield, Kent and Peroulas added as prime sponsor(s).

House Bill No. 2398: Rep(s). Ray Davis added as prime sponsor(s).

House Bill No. 2421: Rep(s). Sipes added as prime sponsor(s).

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House Bill No. 2423: Rep(s). Sipes added as prime sponsor(s).

House Bill No. 2425: Rep(s). Sipes added as prime sponsor(s).

REQUESTS TO BE ADDED AS SPONSORS

The following members requested to add their names as sponsors as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage of said bill.

House Bill No. 1433: Rep(s). U. Jones, DeBerry, Cain and Kernell added as prime sponsor(s).

House Bill No. 2347: Rep(s). Chiles added as sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0134 -- Memorials, Interns -- Honors Ginger Hausser, 1990 legislative intern. by *Buck, *Curlee, *Davis Ray, *Turner B, *Purcell, *Stamps, *Turner C, *Williams K, *Holcomb, *Clark, *Ussery, *Burnett, *Moody, *Davis J K.

The Speaker referred House Resolution No. 134 to the Calendar and Rules Committee.

House Joint Resolution No. 0766 -- Highway Signs -- Designates unbuilt bridge on Highway 7 over Span Lick Creek the "Paul C. Tidwell Bridge". by *Jackson.

The Speaker referred House Joint Resolution No. 767 to the Transportation Committee.

House Joint Resolution No. 0767 -- Naming and Designating -- Designates Eugene L. Joyce Day". by *Coffey.

The Speaker referred House Joint Resolution No. 767 to the Calendar and Rules Committee.

House Joint Resolution No. 0778 -- Naming and Designating -- Designates June 3, 1990 as "Men's Day in Smith County". by *Buck.

The Speaker referred House Joint Resolution No. 778 to the Calendar and Rules Committee.

House Joint Resolution No. 0780 -- Memorials, Retirement -- Honors Betty Reagan upon her retirement from Pickett County School System. by *Winningham.

The Speaker referred House Joint Resolution No. 780 to the Calendar and Rules Committee.

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House Joint Resolution No. 0781 -- Memorials, Interns -- Commends Laura M. Prochaska, 1990 legislative intern. by *Phillips, *Kisber.

The Speaker referred House Joint Resolution No. 781 to the Calendar and Rules Committee.

House Joint Resolution No. 0782 -- Memorials, Interns -- Honors Alexandra Kheshtenejad, 1990 legislative intern. by *Phillips, *Kisber.

The Speaker referred House Joint Resolution No. 782 to the Calendar and Rules Committee.

House Joint Resolution No. 0789 -- Memorials, Personal Achievement -- Honors Jeffrey Newton Parker on attaining rank of Eagle Scout. by *Halteman.

The Speaker referred House Joint Resolution No. 789 to the Calendar and Rules Committee.

House Joint Resolution No. 0790 -- Memorials, Personal Achievement -- Congratulates Thomas Albert Colley on attaining rank of Eagle Scout. by *Halteman.

The Speaker referred House Joint Resolution No. 790 to the Calendar and Rules Committee.

House Joint Resolution No. 0791 -- Memorials, Sports -- Honors Coach Marty Sisco and Union City High School boys' basketball team, TSSAA Class AA state champions. by *Pinion.

The Speaker referred House Joint Resolution No. 791 to the Calendar and Rules Committee.

House Joint Resolution No. 0792 -- Memorials, Congratulations -- Congratulates Michael Todd Burnett, President of MTSU Associated Student Body. by *Head, *Collier, *Pinion, *Ridgeway.

The Speaker referred House Joint Resolution No. 792 to the Calendar and Rules Committee.

House Joint Resolution No. 0793 -- Memorials, Interns -- Honors Andrew Blaylock, 1990 legislative intern. by *Henry Dwight, *Wood, *McAfee.

The Speaker referred House Joint Resolution No. 793 to the Calendar and Rules Committee.

House Joint Resolution No. 0794 -- Memorials, Condolence -- Honors memory of Clyde Tillman Russell. by *Wheeler, *Cross.

The Speaker referred House Joint Resolution No. 794 to the Calendar and Rules Committee.

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SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Senate Joint Resolution No. 0556 -- Memorials, Congratulations -- Commends Tennessee Health Relations Group on efforts to develop voluntary health care utilization guidelines.

The Speaker referred Senate Joint Resolution No. 556 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0557 -- Memorials, Personal Achievement -- Honor James Bradley Tennyson on earning Eagle Scout Award.

The Speaker referred Senate Joint Resolution No. 557 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0571 -- Memorials, Condolence -- Honors memory of William D. Hardeman.

The Speaker referred Senate Joint Resolution No. 571 to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

*Senate Joint Resolution No. 0512 -- Memorials, Government Officials -- Urges state board of education to adopt rule requiring school buses to display headlights while transporting children.

The Speaker referred Senate Joint Resolution No. 512 to the Education Committee.

*Senate Joint Resolution No. 0519 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Rita Mullins to State Certification Commission.

The Speaker referred Senate Joint Resolution No. 519 to the Education Committee.

*Senate Joint Resolution No. 0520 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Norma Nutter to State Certification Commission.

The Speaker referred Senate Joint Resolution No. 520 to the Education Committee.

*Senate Joint Resolution No. 0526 -- Memorials, Government Officials -- Urges State Board of Education to take certain actions relative to school food service.

The Speaker referred Senate Joint Resolution No. 526 to the Education Committee.

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INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration.

***House Bill No. 2658** -- Driver Licenses -- Prohibits denial of commercial driver license to certain persons in certain circumstances. Amends TCA, Title 55, Ch. 50, Pt. 4. by *Henry Jim, *Webb, *Stallings, *Bell, *Gaia, *Robinson Robb, Naifeh, Garrett.

Passed first consideration.

House Bill No. 2659 -- Lawrence County -- Establishes recycling program for government buildings and offices. by *Moore C.

Passed first consideration.

House Bill No. 2660 -- Haywood County -- Grants salary supplement to general sessions court judge. by *Crain.

Passed first consideration.

***House Bill No. 2661** -- County Government -- Authorizes Smith County highway department to be located outside of county town, if county legislative body approves. Amends TCA, Title 5, Ch. 7. by *Buck.

Passed first consideration.

***House Bill No. 2662** -- Oneida -- Authorizes board of mayor and aldermen to establish compensation for such officials. Amends Chapter 211, Private Acts of 1917, as amended. by *Winningham.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

On motion, the Senate Bills listed below, transmitted to the House were held on the Clerk's desk as noted.

***Senate Bill No. 2107** -- Pensions and Retirement Benefits -- Authorizes supplemental retirement plans for public employees under certain circumstances. Amends TCA 8-35-111.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1860.

***Senate Bill No. 2145** -- Taxes, Sales -- Exempts railroad car liners from sales tax. Amends TCA 67-6-329.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1918.

Senate Bill No. 2169 -- Hotels and Restaurants -- Regulates

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inspection and sanitation of bed and breakfast establishments. Amends TCA, Title 68.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1751.

Senate Bill No. 2366 -- Election Laws -- Increases compensation of election commission in certain counties. Amends TCA 2-12-108.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2209.

Senate Bill No. 2389 -- Real Estate Agents and Brokers -- Clarifies liability of real estate recovery account; changes procedures and fees for temporary retirement of licenses. Amends TCA 62-13-208, 62-13-310, 312, 314, 318.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2132.

Senate Bill No. 2390 -- Holidays -- Establishes Martin Luther King, Jr. Task Force. Amends TCA, Title 4.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2076.

Senate Bill No. 2509 -- Motor Vehicles, Titling and Registration -- Revises procedures for applying for special license plates. Amends TCA, Title 55, Ch. 4.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2300.

Senate Bill No. 2543 -- Insurance, Health, Accident -- Exempts Medicare supplement and limited benefit insurance policies from requirement to pay for mammography screening. Amends TCA 56-7-1012.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2266.

Senate Bill No. 2559 -- Museums -- Authorizes sale of alcoholic beverages in restaurant located on premises. Amends TCA 57-4-101.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2528.

Senate Bill No. 2564 -- Local Education Agency -- Authorizes LEAs in Rhea County to determine opening school date. Amends TCA, Title 49, Ch. 6.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2460.

Senate Bill No. 2579 -- Law Enforcement -- Permits mutual agreements for law enforcement between Tennessee and other states

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and federal government. Amends TCA 6-54-307; Title 12, Ch. 9, Pt. 1.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2572.

***Senate Bill No. 2642 -- County Officers --** Allows Warren County register of deeds to utilize marginal notation on mortgage, deed or other instruments. Amends TCA 66-5-108; Title 66, Ch. 21, Pt. 1; Title 66, Ch. 25, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2613.

Senate Bill No. 2656 -- Taxes, Real Property -- Authorizes county trustee of Hamblen County to accept partial payment of property taxes upon approval of county legislative body. Amends TCA, Title 67, Ch. 5, Pt. 18.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2625.

Senate Bill No. 2669 -- Utilities, Utility Districts -- Increases number of positions on board of commissioners for water utility districts in Carter County. Amends TCA 7-82-307.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2635.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted.

***House Bill No. 2656 -- Judges and Chancellors --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 2657 -- Election Laws --** Passed second consideration and referred to the State and Local Government Committee.

DELAYED BILLS REFERRED

Pursuant to Rule No. 78, House Bill(s) No(s). 2656 and 2657, was/were referred to the Delayed Bills Committee.

REPORT OF DELAYED BILLS COMMITTEE March 28, 1990

Pursuant to Rule No. 78, we the undersigned members of the Delayed Bills Committee have approved the following general bill to

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be heard by the appropriate standing committee: House Bill No. 2657.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

March 28, 1990

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2649 and 2646.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

March 28, 1990

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for **Thursday, March 29, 1990**: House Resolution(s) No(s). 134; House Joint Resolution(s) No(s). 780, 781, 782, 789, 790, 791, 792, 793 and 794; House Bill(s) No(s). 2649 and 2646; also, Senate Joint Resolution(s) No(s). 556, 557 and 571.

PHILLIPS, Chairman.

ENGROSSED BILLS

March 28, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 779 and 784; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 28, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 420, 664, 1605, 1612, 1801, 1806, 1829, 1870, 1873, 1985, 1989, 2018, 2019, 2040, 2112, 2147, 2218, 2329, 2403, 2413, 2531, 2607 and 2663; also, Senate Joint Resolution(s) No(s). 96, 171, 463, 464, 465, 474, 488 and 554; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE
March 28, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 393, 1797, 2050, 2337, 2408, 2565, 2584, 2589, 2611, 2632, 2634, 2636, 2638 and 2640; also, House Joint Resolution(s) No(s). 542, 544, 550, 666, 715 and 768; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 28, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1627, 1666, 1721, 1735, 1781, 1858, 1949, 1956, 1986, 2039, 2066, 2148, 2199, 2201, 2332, 2340, 2352, 2378 and 2405; also, Senate Joint Resolution(s) No(s). 446, 541, 547, 562 and 563; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 28, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 598, 628, 1744, 1766, 2006, 2434, 2551, 2557, 2594, 2596, 2597, 2617, 2618, 2619 and 2630; also, House Joint Resolution(s) No(s). 523, 560, 691, 694, 697, 700, 701, 702, 703, 704, 705, 706, 707, 709, 710, 711, 712, 713 and 714; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS
March 28, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 771; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 28, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report

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that we have transmitted to the Governor the following: House Bill(s) No(s). 393, 598, 628, 1744, 1766, 1797, 2006, 2050, 2337, 2408, 2434, 2551, 2557, 2565, 2584, 2589, 2594, 2596, 2597, 2611, 2617, 2618, 2619, 2630, 2632, 2634, 2636, 2638 and 2640; and House Joint Resolution(s) No(s). 523, 542, 544, 550, 580, 666, 691, 694, 697, 700, 701, 702, 703, 704, 705, 706, 707, 709, 710, 711, 712, 713, 714, 715 and 768; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
March 28, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 596 and 597; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
March 28, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2641, 2642, 2643 and 2650; also, House Joint Resolution(s) No(s). 769, 772, 774, 775, 776, 777 and 796; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
March 28, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 773; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 28, 1990**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2585; substituted for Senate Bill(s) on the same

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subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 28, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 779; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 28, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2034 and 2172; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 2034 -- Human Rights -- Revises provisions of housing discrimination law to conform with Federal Fair Housing Amendments of 1988. Amends TCA, Title 4.

Senate Bill No. 2172 -- Solid Waste Disposal -- Expands powers of municipalities relative to energy production facilities. Amends TCA, Title 7, Ch. 54.

MESSAGE FROM THE SENATE
March 28, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 577; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0577 -- Naming and Designating -- Designates April 22-28, 1990 as "Victim Rights Week".

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain,

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Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

On motion of Rep. Naifeh, the House adjourned until 9:00 a.m., Thursday, March 29, 1990.